

## Papur 4 / Paper 4

Comments, on behalf of the **Home Owners of Wales Group**, upon the Report by Simon Brooks  
“Second Homes – Developing new Policies in Wales “  
Presented by Mr. J Morrison FRICS FNAEA Chartered Surveyor, Planner and Valuer.  
Contact details on the email which had this Response attached.

### **Comment 1:**

The Home Owners of Wales Group represent around 4000 (and growing), concerned home owners who live, part of their lives in Wales and at other times, in other parts of the UK and Europe. It also comprises Chartered Surveyors, Solicitors, Barristers, Doctors, Engineers, Designers, Industrialists and experts in Town Planning and many other businesses and those working for themselves.

The Group are very concerned at what they feel is discriminatory and endemic prejudice, being purposefully targeted at them in terms of proposed legislation, which interferes with moral decency, honesty, equality and their human rights to enjoy their homes without interference, obstruction and malignment, appearing to come from local and national government.

The Group believes that section 12b of the Housing Act 2014 (Wales) is unlawful and needs urgent amendment in order to prevent, potential legal action and compensations claims which could run into many millions of pounds. This section 12b, allows local government to make ad-hoc judgement upon a Council Tax levy of up to 100%, upon certain groups of people. Legal advice appears to support that Section 12b contravenes

The Equality Act 2010

The Consumer Rights Act 2015

Article 8 of the European Convention of Human Rights (Royal Court of Justice 2016).

Council tax is not a personal tax. It was always designed to be a tax on property value within very defined principles. I.e.: Two identical, residential properties adjacent, would have identical council tax assessments. This was graded so that larger properties would pay more council tax than smaller properties.

However certain Councils in Wales have already discriminated against our Home Owners in our group, forcing them (by threatening legal action), to pay 200% council tax on their property. This bullying and unfair compulsion, has not been means tested, nor have any of those known to us, been personally counselled as to why they are being singled out in this unfair manner. Referring back to the design of council tax, two identical residential properties lying adjacent to each other, no longer have the same burdens upon them and it is the owner which is adversely affected. This, on any level is unfair, unjust and discriminatory. Council tax is not an income tax.

If one reads the 3 Statutes above, and sits in the position of such a home owner as our group represents, it can be clearly seen, that such unfair and aggressive action, breaches not one but all 3 of those primary legislations. There is no excuse for badly drafted, secondary legislation. Section 12b is a good example. Primary Legislation must always be respected and taken into account when considering subsequent legislation whether being primary or secondary law.

Our Group also comprises solicitors, barristers and others who are well qualified in Law.

Our group loves Wales, the Welsh culture, the Welsh people, the Welsh language, and has respect for the Welsh Government and those who serve it locally in various councils. But this respect is not being reciprocated and that is very disappointing. Since our introduction to yourselves, none of our suggestions have come to anything and all we are being invited to do, is comment on Simon Brooks' report which somewhat demonstrates our point.... which is ... (We, the Welsh Government

have already made up our minds, that we will blame second home owners and commission a report on

“The Problem of Second Homes and how they impact on the Terms of Reference mentioned below.” Given that these are the Report's Terms of reference, it is not surprising that the report produced, concentrates upon them.

The group's overwhelming overture to the Welsh Government is that anyone who owns or lives in a residential property in Wales, is an equal member of the local community, should be respected as such and should pay the listed UK Council Tax, subject to the published exemptions. i.e.: One property, one Council Tax; Two properties, two council taxes etc. That is fair and reasonable and has been accepted by the UK voters and populous, since its introduction in 1993 via the Government Finance Act 1992. Hence, section 12b of the Housing Act 2014 should be amended. The consequences of not addressing this urgently could be very serious and very expensive for the Welsh Government.

## **Comment 2:**

Terms of Reference in Simon Brook's report are:

### **Context**

A Regional and local problem – not a national problem

The Impact of second homes on the sustainability of communities and the Welsh language

Brexit and covid – a reason to act

A theoretical model for policy intervention

Taxation policy

Planning policy and the existing housing stock

The future of the Welsh as a community Language

Recommendations

The very report-heading, is prejudicial and discriminatory. It suggests that second home owners need further policies of control and that they are to blame for the issue.

**What is the issue? It is of course to investigate why there is a shortage of affordable Homes in certain parts of Wales and what can be done to resolve this.** It misses out entirely, the converse truth, being that there is also a shortage of Holiday Homes in certain parts of Wales. What can be done about that? One can see immediately that this subject has been skewed by omitting a major element conveniently absent from the terms of reference. This leaves certain groups of home owners as victims.

It is portraying that the report has been produced by Swansea University. The report says that it has been commissioned by Coleg Cymraeg Cenedlaethol who in turn, are sponsored by the Welsh Government. Some might conclude that there are definite conflicts of interest with the independence of this report. Of course, our respect for freedom and social justice, acknowledges that all parties involved have every right to express their opinions.

Overview:

**Comment 3:**

**Possible Conflicts of interest.**

The Report was Funded by Coleg Cymreag Cenedlaethol; founded recently in 2011. Supports the Welsh Language and further Welsh Education and opportunities. It is associated with the Welsh Government and some might say, that it is not, a truly independent review

Moving on, the Report is to scrutinise policy for second homes in Wales and Cornwall (Wales for Taxation and Cornwall for Planning).

In the Report the author does admit he advises the Welsh Government.

Recommendation from our Group:

Any commissioned report upon which a government is basing future policies, should be entirely independent and the Home Owners of Wales Group would recommend that a new survey is commissioned upon “The shortage of affordable accommodation in Wales; The Shortage of Holiday Accommodation in Wales – the way forward.”.

**Comment 4:**

The Report states:

Page 3 of report **Context**

“(Second Homes) – their presence is therefore a matter of interest from a language planning perspective as well as for town and country planning”.

We do not see any conflict from second home owners upon the Welsh Language. In fact, in North Wales where the subject of second home ownership is at boiling point, there is the highest proportion of the Welsh population, speaking Welsh. Why does Town and Country Planning have any involvement with the Welsh language? The Group has Town Planning experts amongst them who consider language and its effect upon certain home ownerships, largely irrelevant bearing in mind, modern views on diversity. Wales appears to be on its own in this matter. The rest of the world are certainly thinking of inclusion not exclusion.

**Comment 5:**

**Page 3 Table 1**

Estimated 24,400 Second Homes in Wales (20/21 stats). Excluding those which have flipped to non-domestic rates status. There are 4,900 in Gwynedd; 4000 in Pembrokeshire; 5000 in Cardiff; 2000 in Anglesey;

We are happy to agree these figures as approximate.

The report says there are 4900 second homes in Gwynedd  
Different Government statistics show that 888 or 1,976 of second homes have flipped their status

from paying council tax to paying non-domestic rates. Please can you advise our group of the correct number of properties for Gwynedd and for Wales.

Total number of home owners in Gwynedd is 24,000. The population of Gwynedd is 124,000. Please can you verify these figures.

#### **Comment 5**

##### **Page 4**

The Report mentions ...” Second homes are unavailable for residential use”.

This is misleading and prejudiced phraseology. Holiday homes are most certainly in residential use as homes. It is just that certain home owners respecting their human rights, choose when they can live there – most in this category occupy them for over 50% of the year. The suggestion in the report, is that 2<sup>nd</sup> homes reduce the available supply of homes generally; but there is no mention of an obvious shortage of supply of holiday homes in popular areas of Wales. If this had been said, then there would have been balance to the comment.

#### **Comment 6**

##### **Page 5**

(Table 2: Second homes and Holiday Lets as a percentage of housing stock

Gwynedd 10.76%

Pembrokeshire 9.15%

Anglesey 8.26%

etc.

Rounding these figures up or down could also result in our Group stating that

89% of all housing stock in Gwynedd is available for full time occupancy

91% of all housing stock in Pembrokeshire is available for full time occupancy

92% of all housing stock in Anglesey is available for full time occupancy

In so changing the emphasis, it doesn't suggest any worrying percentages of available homes for full time occupancy. So again, one observes a skew of statistics to lay the foundations of a certain way of thinking. We will further comment on this skew within our further responses.

#### **Page 6**

##### **Comment 7**

##### **Para 2**

“... holiday accommodation has as much to do with economic policy as it does with housing policy. It could be argued that it promotes prosperity in a way which is not the case for second homes..... It is difficult to think of second homes as being part of a coherent economic strategy in the same way.”

Wow!

This sentence clearly demonstrates the direction of this non independent report and more than anywhere else therein loses any credible application.

Our Group undertook a survey asking certain home owners who lived, part time, in their homes, what they had spent in the local community over the last 3 years; the average was £29,000 per ownership. Using published figures of the Welsh Government in context with the number of non-fulltime/ Second Homes in Wales, as approximately 24,400, as mentioned also in the Report, the total income from these, if applying our average figures, amount to £ 707,600,000 divided by 3 years = £235,866,000 per annum on average spent in the local Welsh Economies. One can only

draw certain conclusions from the report as to why this sweeping statement above, was written and why any credit to this substantial part of the Welsh Economy has been rubbished or omitted. Yet again we ask.... is the report biased and therefore, not sufficiently independent?

In 2020 Gwynedd and Anglesey Councils produced a report "Managing the use of Dwellings as Holiday Homes"; This was to do with flipped houses only (being those holiday homes which have changed their status from domestic to non-domestic user and hence subject to commercial property rates and not to residential council tax.).

This joint report between the two councils considered the percentage of homes which were full time, primary homes per area. Taking two of the largest Towns in Gwynedd as an example, Pwllheli and Porthmadog, these were 96.3% and 87%, respectively. These figures conclude that there is no crises in regards to holiday accommodation as such. So let us be realistic with the numbers and very small percentages in the vast majority of areas of Wales. The two Towns above are primary tourist destinations and so suggests the matter of too many holiday homes, is being exaggerated.

### **Comment 8** **Pages 11-14**

This is a rant of vitriol against Second home ownership trying to separate the perception of them, between Second Home owners and Holiday Lets. It is suggesting that: Second home owners – bad; Holiday Letting Ok if controlled.

If this was published in most parts of the educated world it would be branded as discriminatory and prejudiced. Essentially it is rubbishing second home owners. It is very sad to see such opinions in a modern world demanding social justice and parity. You can't fight social injustice with more social injustice. You can't turn these principles on and off to suit your view point. Somewhere the morals of Good, are being lost.

The reality is that many of our Group bought their property for the love of Wales and to treat it with respect, love and reverence, and don't wish to let their home. They are the ones who spend the £236m per annum in their Welsh Communities. They are the ones who currently pay 150% - 200% of unfair and unjust, Council tax for this commitment to Wales, while others who are more commercial, have flipped their properties into a commercial status regime, and today pay no council tax and no property rates. Some even claimed Covid reliefs and grants from the UK government for their loss of potential income.

So, it is true that some of this minority are exploiting Wales but that doesn't apply to the vast majority of second home owners who we think are the real heroes in this debacle. Route-out those exploiters and by all means tax them fairly, as they are not financially contributing to their local, Welsh communities.

For those hard-working home owners, who are peaceably going about their lives (and to protect their mental health and wellbeing), leave them alone and respect Article 8 of the European Convention of Human Rights.

It is immoral and unlawful, to charge any home owner more than one council tax per property.

### **Comment 9** **Page 15**

## **3. The impact of second homes on the sustainability of communities and the Welsh Language**

As our group has mentioned in comment 4 above, Gwynedd has one of the highest percentage populous, who are Welsh speakers, in the whole of Wales. It is also one of the most popular, property-ownership areas, in North Wales. So, any assumption that these homes dilute the Welsh Language is unproven in Gwynedd. The current evidence suggests the opposite and that it is not a factor in threatening the preservation of the Welsh Language. The Welsh Language has remained

very strong in North Wales and in recent years has even revived.  
School Education is the main contributor to the sustainability of the Welsh Language.

## **Comment 10**

### **Page 15**

#### **Assumption 1A: Second homes are responsible for the increase in house prices in specific communities.**

Second Homes/Holiday homes/permanent homes are all **part of the community**. They are also part of the “market” which is driven by demand. This isn't just true in Wales but equally applies, all over the world.

To try and suggest that second home owners are not part of the community, is discrimination and very offensive.

This report tries to implant the impression that only second homes might have an arguable impact upon house prices. However, **where are** the “Holiday Homes and Permanent Homes in this debate?? They are **all, part of the market.**

## **Page 17**

### **Comment 11**

#### **Possibly the most offensive area of the report – maybe unintentionally, but report writers need to take the greatest of care.**

#### **Assumption 2: If there were fewer Second Homes, local people would move to these communities.**

It would appear that the Welsh Government are in agreement with this hugely discriminate and prejudicial assumption. We believe that just before Christmas both Julie James and Mark Drakeford were quoted as saying that there were too many second/holiday homes in certain areas and their intentions were to pilot measures to reduce and control these.

If they said the same about “Black Lives Matter”, the world would consider Wales a no-go area and one of great ignorance. The Home Owners of Wales Group, see us in exactly the same position. In a Freedom- of- Information release, from a Welsh Council (upon the consultancy to increase or not, the council tax upon second home owners), one of our members informed us that 86% of the respondents were English. These, same voters, voted against the increase of council tax in the public consultation. The Council still implemented the increase. So is the prejudice, general or is the R word part of the problem? It all looks very murky.

The world has no tolerance for discrimination of any type and all Governments have to apply this to all their staff, officers and sub-officio.

We repeat that the Welsh Government must treat all home owners, identically, with respect and using all professional skills to carry out their duties to them as part of the community and not to separate them, harass them or interfere with their enjoyment of their homes.

Business will not move into areas where there is prejudice and inaction to resolve such unhappiness and, in such areas, every effort should be made to be inclusive, fair and reasonable with all those concerned. Further investigations should be made as to why certain areas experience disharmony.

Every effort must be made to bring the communities together for their prosperity and sustainability.

Our Group loves Wales, the Welsh culture, the Welsh people, the Welsh language, and has respect for the Welsh Government and those who serve it locally in various councils. But our firm belief is One property, one Council tax! Every householder should pay council tax, irrespective of their status.

**Page 18**

**Comment 12**

### **Assumption 3: Reducing house prices is desirable**

This is not an exclusive wish for Wales. It is an international problem and the same, the world over. All popular areas whether being large cities or holiday destinations face high demand and market forces. Successful areas are popular ones. Wouldn't it be better to emulate these where there is economic decline in order to boost those such areas of low economic output?

The report seems to suggest the opposite by recommending to reduce economic activity and deterring inward investment within these areas. Frightening good people away from an area is not the way forward. It is also cruel unkind and aggressive.

One proven way to slow property values is to provide more homes generally. More supply equals more distribution and this in turn, contains prices.

In Wales, in the areas affected by tourism, there are often green sites within a 5-minute walk of the village centers, ripe for development. We have read that some don't want these areas developed.

Well, you have a choice. If you don't develop them, they remain as they are, stuck in the past with no progress. This is a matter of choice. So don't blame certain groups of home owners, when there is no supply and prices increase. It is the Housing Policies which need to be progressive and inclusive. If they are intelligent, they will work. Legislating against certain people is wholly unacceptable.

**Page 18**

**Comment 13**

### **Assumption 4: Second Homes harm the Welsh Language**

As our group has mentioned in comment 4 above, Gwynedd has one of the highest percentages of populous, who are Welsh speakers in the whole of Wales. It is also one of the most popular property ownership areas in North Wales. So, any assumption that these homes dilute the Welsh Language is unproven in Gwynedd. The current evidence suggests the opposite and that it is not a factor in the preservation of the Welsh Language. The Welsh Language has remained very strong in North Wales and in recent years has even revived.

School Education is the main contributor to the sustainability of the Welsh Language.

What about offering normal, single council tax to those who enroll for evening classes or distance learning course, in Welsh. Stop beating them with a stick and offer incentives in areas where the Welsh Language is suffering.

**Page 22**

**Comment 14**

**Recommendation 2 To control the number the number of second homes.**

We reject this entirely. It is ridiculous to lessen demand for something which enhances and economically improves a community. You need people and business in order to prosper. By all means monitor permanent and part- time homes. This will allow good analysis of moving trends and allow government (not local government) to act as and when necessary.

**Page 22**

**Recommendation 3 The definition of second homes.**

**Comment 15**

Errors here we think in the report.

No definition of second homes needed. **It would be more acceptable if they were referred to as non-permanent homes. (This is the expression used in the Housing Act Wales 2014)**

As far as we know all rented property has to accord with minimum standards. Successive Housing and connected Acts since 1985 have amended and improved the minimum standards which Landlords and Agencies have to follow. Perhaps every Local Authority should have an enforcement Officer to ensure all their rented stock and those offered for holiday accommodation, are professionally monitored and any enforcements, enacted.

**Page 26**

**Recommendation 4 - Responding the Brexit and Covid**

**Comment 16**

Not relevant to our Group;

We have many complaints however, that Council tax should not be payable if access to our Welsh Homes has been cancelled by border or travel restrictions.

**Page 27**

**Recommendation 5; – Theoretical model for policy intervention**

**Comment 17**

Our Group does not agree with a model of intervention. Business will reject Wales if this model is introduced. Tourism will suffer too as people veto a discriminatory and prejudiced government. Who wants to be where you are not welcome and over taxed? The answer is... no one! Interestingly this very debate has been recently discussed within the National Park of Yorkshire. They have concluded that interference with taxation upon visitors and home owners would adversely affect tourism to their area. They need the income tourism and homes there, introduce to the local economy, year after year.



## **Recommendation 6 – Taxation policy**

**Page 30**

### **Comment 18**

Our group will support one element of Taxation: One property, one Council Tax.

This to be based upon the UK Council Tax scale.

## **Recommendation 6 Council tax Premium & Short-term holiday rentals**

**page 33**

One Property one Council tax

- ii) Any residential property should pay Council Tax - not rates. Thought should be given to all residential properties which have converted from a residential to commercial regime without planning permission and these should be paying one council tax. Business rates have always applied to Business use properties only. Also, the exemption of business rates below £12,000 on any residential property should be withdrawn if it applies to a residential property. One property, one council tax.

## **Page 34 Land transaction tax**

### **Table 4 Scales of Purchase price and tax thereon**

#### **comment 18**

The published scale in the report is accurate and applies to all home purchases in Wales at present. Second Home owners are yet again discriminated against and pay more tax than those wanting a principal home and most buyers of this type would be paying from 7.5% to 16% of the purchase price. The Report suggests that these rates should be increased further and so discouraging the purchase of second homes.

Our group already believe that these rates are too high and discriminate against those who have sensibly saved through their lives to buy a home in Wales. (Some buyers will be on fixed pensions (. So, our recommendation is that all stamp duty on home purchases be at the same percentages with no loadings or levies. Hence everyone will pay the same percentages whether they own one home or two. Otherwise, it is discriminatory.

## **Page 39 -42**

### **Comment 19**

#### **Developing a regional taxation strategy (For local Government)**

Taxation is difficult at the best of times for a national Government. So, the worst thing to do, would be to empower more taxation to be applied by local government. So, we are against any new powers invested in local authorities, to apply more taxation to any communities. You will lose voters this way and thousands of them. Taxation is for National Government only.

Again, there are questionable conclusions of the author who once more writes “. the regional nature of the second homes problem.....”

We would ask yet again ... what problem? There isn't a second homes problem. It is a myth and smoke screen. The proof of this is in the actual numbers of properties which are non-permanent homes. On average these might form say, 5%-8% of any given popular area of Wales. This is insignificant.

If any of the large UK Cities started to contemplate all these types of measures and legislation every time Chinese, Indian or Middle Eastern migrants moved into their neighborhood it would be dismissed as bigoted and bullying. It just would not be tolerated.

The Report rattles on and on about why National purchase taxes upon property transactions should rise and powers should also be given for local government to charge further purchase taxes in addition! Where is all this money coming from? This is absolute and outright discrimination which will be fought through the Courts if necessary and those Officers and MS members who support it, held personally liable for losses sustained by those unfairly taxed twice.

If you are serious about change, then be professional and invite us to a few proper policy meetings and include the very crowd of people you are discussing.

Instead, you are in danger of locking yourselves away and considering some extremely inflammatory policies. There is no doubt that the Welsh Government are treading on very thin ice.

#### **Page 42**

**Recommendation 8 Land Transaction tax Penal tax levies - only to be applied to second home ownerships.**

#### **Comment 20**

Our group oppose this recommendation as it discriminates against a certain group of people. It would be unlawful to introduce secondary legislation which conflicts with existing primary legislation.

#### **Page 43**

**Example St Ives / Cornwall**

#### **Comment 21**

The initiatives in Cornwall and Devon are largely, quite aged, Town & Country Planning conventions. They don't require any further laws or amendments. They are actions which can be applied in certain circumstances by all Local Planning Authorities. The most common one is to introduce a moratorium. This is what they have done in Cornwall. In some cases, they have already withdrawn these where they don't apply any longer. An example would be to apply a moratorium upon all, new- build housing development for any holiday homes.

Such a moratorium could be levied in certain areas or upon all new-build residential development for say 24 months.

They are more often applied to the type of development e.g.: No increase in the number of units allowed on a site where an existing dwelling exists on site i.e.: One for one. This prevents low density areas becoming overrun with mass new development.

They can be turned on and off to suit the circumstances.

They are more used to encourage certain types of development by temporarily, discouraging other types of development.

So, moratoriums are nothing new or special and don't require any new legislation. The Local Planning Authority have to check with other relevant bodies, that such a moratorium would not interfere with any national or regional development initiatives, already agreed and approved. But that is all.

Perhaps the Welsh Government officials did not know of these? National Government can override the moratoriums should they wish to do so.

Our group would be against any further changes to Planning laws in context with the Simon Brooks

report. We would be absolutely against National Government devolving further planning powers to Local Authorities. This allows a National Government, to maintain tight control over National Housing Policies.

#### **Page 45**

#### **Comment 22**

#### **The Localism Act 2011; Local Authority Neighbourhood Plans;**

Prior to 2011 All local Authorities had to prepare a Local Development Plan for their areas. These plans lasted for 10 years and had to be reviewed every 5 years and preferably, annually. They included financial budgets for the initiatives in the Plan. These Plans would form the back-bone of their strategies for their Economy, Housing, Health, Waste, Industry, Water and drainage, Flood protections, Police and emergency services, Education, Social services – in fact everything they needed to manage over the period concerned.

The Localism Act 2011 made these plans more accessible to the public and encouraged local communities to become more involved with the preparation of these plans.

The Report makes mention of the Plan for Cornwall Council, with specific elements for their housing needs. This was part of the report requirements but has no significance to those requirements for the Welsh Government.

The Neighbourhood plan for say any local authority, might for example, include:

(Why is there a shortage of affordable and holiday housing in certain parts of Wales?)

This would be a good question, bearing in mind the last Development Plans for Wales, should have made provision for both of these Housing requirements. Has there been a failure to review these plans, with rigour and application? Where are the amendments and corrective measures recorded? Were these indeed even undertaken? Why have these plans failed?). If they had been successful, this whole debacle, would not be happening.

However, blame is not constructive and we are inviting the Welsh Government to work with our Group rather than against it, to establish and agree workable strategies for the future.

#### **Page 47 & 48**

#### **Comment 23**

This area of the Report is yet again, subjective.

We wholly challenge, the conclusion that Cornwall's Housing Policy has been changed which might threaten Article 8 of the European Convention of Human Rights.

As we have mentioned above, all Cornwall is doing, is applying a temporary moratorium. This will be relaxed as and when the balance they seek, is restored. E.g.: If they need 200 affordable homes, they will restore the status quo when this target has been achieved. They have noted a defect in their Local Development Plan and sensibly, are taking measures to rectify their original expectations. This is how Local Councils should behave. Councils should check their progress against their budgets and targets for all types of housing needs, regularly and no less than every 5 years. Most councils are now, checking these, annually. This obviously hasn't been undertaken in certain parts of Wales which has led to the present situation.

Cornwall's approach is wholly different to the discriminatory measures recommended in the Brooks report.

**Page 51-54**  
**Comment 24**

**Local Occupancy Policy**

Unfortunately, this measure is by design and definition, discriminatory. It discriminates between two identical families or persons, working for the same employer, but one may live outside the area and the other, inside the relevant area.

In a real-live case we have observed, the restriction to selling only, to a local person hasn't been successful either. In the last Development in Abersoch, as an example, the houses reserved for local users only, have taken over 5 years to sell – there were only 6 and one remains unsold after all this time and is heavily discounted. (£190,000 to around £400,000 open market Value). It has had to be rented.

We agree that affordable homes should be offered to all those needing affordable homes to rent and buy. We completely support this moral stance. However, one is not permitted to only render this offer to those, who a Council, term as local. Anyone who lives or wants to live in a community is local. To state otherwise would be in breach of the Equality Action 2010.

The failure to provide enough affordable housing in any given area, has nothing to do with those who own property on the same area. That is a matter of fact.

The answer to this thorny issue, is to do what Cornwall has done, in defining how many homes are needed. These include, affordable **and** holiday homes. There is no discrimination to their action.

We have demonstrated that what the Brooks report term as “Second Home Owners”, introduce around £230m per annum in Wales. This is also true of those similar ownerships in Cornwall. Cornwall Council are enlightened and “open- shouldered” with regards to the economy which tourism creates, each and every year for its coffers and businesses. They may be short of affordable homes but they are doing something about it rather than blaming one sector of the community. They have amended their Development Plan to reflect their housing needs, (which includes affordable and holiday homes), and introduced measures to accomplish their aims. Developers have already been approached and there are projects being built and planned which will deliver their targets in a very short period.

IE: They are not moaning and groaning but getting on with it!

The aim for the areas of Wales which need affordable housing, should progress with the same or similar policy. They must not discriminate or cause prejudice against groups of ownerships.

They must not discourage existing ownerships to sell-up and go.

They may not introduce financial dis-incentives to make it difficult for those groups to survive and may not introduce legislation which interferes with their peaceful enjoyment of their properties.

If we all believe in equality and social justice, we have to apply it to all matters and must not, turn it on and off to suit the argument.

**Page 55**  
**Comment 25**

**Section 8 Planning Policy and the existing housing stock**

This section of the Report left our Group, speechless.

It is possibly better that we remain silent. We can't believe that a written report would contain such offensive content. It needs to be struck from the report and the contents dismissed for obvious reasons.

**Page 56**

**Comment 26**

**Section 9 and 10 Creating a new Use classes Order for Holiday Homes**

Our Group rejects this proposal.

The UK Use Classes Order has been recently amended by the UK Parliament and doesn't require further upgrade at this time.

It is obvious that this section of the report is aimed at those home owners who have flipped their properties from a residential holiday home where a council tax is payable, to a commercial undertaking where business rates are payable.

A Business property does not pay any rates if the Rateable Value is under £12,000. As most such residential, flipped holiday homes, have rateable values beneath £12,000, they are not subject to paying rates. They do not pay council tax either. So, for obvious reasons, many owners of these properties are coming under scrutiny from both HMRC and the Welsh Government.

Another complication in this subject which divides the Welsh Government from Welsh Local Councils, is that council tax is paid to the local council who retain it to pay for local services, whereas commercial property rates, while collected by the Council, is paid over to the national Government who then distribute these funds across Wales in various ways.

So, to stress the point, Councils would much prefer the said, flipped houses, to be paying Council tax than property rates. The National Government would prefer the owners to be paying property rates.

One of our contributors, is a rating surveyor and would be happy to assist the Welsh Government in this matter. It is a complicated area of rating and also has occurred from several different legislative sources which suggests to some, that new legislation is necessary in order to change matters.

We do not intend to go into this further at this stage as the matter is far-reaching and doesn't concern those second home owners who are paying the unfair and loaded council tax. Our main message to the Welsh government is "One property, one council tax"! So, we do support a change but do not support the changes muted in the Brooks report. The UK Government have indicated that they would consider amending /retracting the legislation which controls this situation.

**Page 58 - 66**

**Comment 27**

**Should Planning permission be required in order to convert a dwelling house into a second home?**

Our group says No. There is no such Use Classes User as a Second Home. So, no Planning permission is required. The Welsh Government would need to seek permission from the UK Government to alter this as it is a United Kingdom Use Classes Order.

In any case our Group would oppose a new class termed as a Second Home. It is ridiculous, partisan and discriminate. If you own a residential property in the UK and you use it part time, that is the user's decision. It does not require state permission.

On page 66 the matter of Second Home Owners, threatening the use of the Welsh Language is, again, raised. This is pure conjecture and yet again, we point out the fact, that the highest percentage of Welsh speakers in Wales, is found in North Wales, where the majority of Holiday Homes also exist. Therefore, this point is proven to be untrue.

So, if it is thought that the Welsh language is threatened, should the Welsh Government concentrate on expanding the Welsh language in say, South Wales, instead of persecuting second home owners in certain other parts of Wales (Some of who do speak Welsh).

### **Recommendation 11 – Trialing a new use class for second Homes**

**page 68**

**Comment 28**

We have challenged this in comment 26 above.

Absolutely no trials of anything until all interested parties have agreed the terms of reference. Our Group is more a supporter for less legislation than more legislation. It would be far better to spend government time with National Builders and to deliver these homes where they are needed, rather than messing around with discriminatory and therefore unlawful, Policies which will be challenged in law and in any case, are not the way forward to founding a new and progressive and tolerant Wales.

### **Recommendation 9**

**Page 69**

**The Future of Welsh as a community Language.**

Our Group broadly supports intelligent strategies to maintain/enhance the Welsh language throughout Wales. As residents, we love Wales. the Welsh people and the Welsh Language. Reciprocation our love is mysteriously absent from the Welsh Government.

In recommendation 9, it doesn't take long to be critical of certain groups of home owners.

In fact, paragraph two!

.... “The Welsh Government recognises that second homes are a significant problem from a language planning perspective”.

We assure you that there is no second-home problem or crises in Wales.

This is a subjective statement which as mentioned previously within our responses above and is not supported by the statistics of Welsh speakers in Wales. So let us all please stop being cruel and unkind to second home owners who are part of the community. This continuing persecution of certain groups of people is discriminatory and in a decent society, must cease forthwith.

There are many groups of Welsh speakers, mostly with friendly and professional ideas of how to extend the Welsh language.

For example, the Welsh Government could suggest that all new, such home owners attend distance learning of the Welsh Language. You can't force people to do this but we are sure many such owners would be pleased to participate in say, distance learning, evening courses in Welsh. But no such initiative to our knowledge is even being proffered to such home owners. It would be well received and would also extend friendship and fellowship within the community.

Many in our group have already attended Welsh language courses because they wish to communicate in Welsh while being in Wales. This is quite normal and happens when people holiday in Spain or France. These languages are taught in Schools and as long as there is a good economy in Wales, the language will be essential.

You don't need legislation; you need professionally produced initiatives and market these so that your target audience feels wanted and nurtured.

### **Recommendation 9 also says that**

“..... second homes in Welsh speaking Wales, have risen to the top of the political agenda for two reasons: Firstly, they harm the Welsh Language as a community language. Secondly, they are a symbol that represent economic, social and linguistic injustice on a broader level”.

Wow, this is very bitter and twisted, unfriendly and most importantly, untrue and highly offensive. If anyone really believes this, then there is a very serious problem in Wales which will have to be addressed. But it has nothing to do with home ownerships. Endemic prejudice is a very serious matter.

Our answer to the quote above is;

Second homes should not be at the top of any political agenda. They are part of the market and part of the community. They do not harm or threaten the Welsh Language in any way, shape or form. Indeed, we know, most such owners love the Welsh people and the Welsh Language.

Second homes are not a symbol of social injustice. What is a symbol of social injustice is taxing them a 200% Council tax levy, upon an identical property adjacent, which pays 100% Council tax? Council tax is a property tax graded on the Council Tax listing for fairness.

Fairness cannot be turned off and on to suit your viewpoint. Where any social injustice exists (And they do but not from certain home owners), introducing more social injustice by unlawful legislation, will only increase tensions and lead to massive compensation claims and litigation. All this faffing, does nothing to resolve the problem of how to increase the number of affordable homes in Wales and indeed holiday accommodation, in parts of Wales, also.

We would recommend that all parties involved are invited to a conference where constructive ideas are exchanged and amicable solutions agreed. Would you not prefer to have agreement by all rather than the dissatisfaction which exists at the moment?

Closed minds, over- focused, on prejudice and discrimination will never stand. Indeed, these principles were defeated at the closure of World War 2 when the World said never again.

Inclusion, mutual respect, and friendship is a better way forward.

### **Recommendation 9 (or rant) also says**

**“... the assumption that Brexit and Covid will result in increased demand for second homes in the next few years means that public policy intervention is required in order to prevent uncontrolled growth in their numbers”.**

Covid traveling restrictions in Europe and other parts of the World, have increased demand for holidaying in the United Kingdom and Ireland. Most of these holiday makers are not second home owners. The said holiday makers are choosing not to travel abroad due to the risks and added costs of testing etc., and are renting through agencies such as Air BnB while covid travelling is difficult.

So, our Group does not consider there is any present need to introduce any intervention policies at this time. Certainly, none that Local Authorities can make. There are no second home crises – albeit there is continuing demand for second homes in Wales. Also there does appear to be a shortage of affordable housing in certain parts of Wales and this can be easily attended to by introducing national builders who would gladly fill this gap, if encouraged to do so – possibly in partnership

with the relevant Local Authorities. Our Group has contacts with national and local builders who we can introduce to you if this of interest.

The numbers of homes required in these pinch areas of Wales are proportionately small in comparison to the homes needed in England, as an example of pressing needs elsewhere in the UK and therefore, could be completed in a relatively short period. One thing these pinch areas have in common is that they all have an abundance of land within a short walk of their Town centres, which could be developed quickly and easily. Moratoriums could be introduced on these developments to ensure the right mix of housing is built. Local Councils or the Welsh government could retain a stake in these homes to allow sufficient control over their future, affordable housing stocks. This idea needs a minimum of legislation and allows a planned increase of all housing needs in the relevant areas of Wales. The demographics of it would also encourage an increase in spoken Welsh.

### **Recommendation 12 page 70**

Do you really need yet another group or department dealing with the Welsh Language? The Welsh Government has been elected and part of its mandate, is to encourage policies which will protect and enhance, spoken Welsh. As far as we know, the Welsh Government can easily maintain the status-quo as part of their manifesto. There is a new Commission already formed who we understand are already undertaking this roll.

### **Section 10 Further and Conclusive recommendations 1-12.**

Our group cannot agree with the recommendations of the Brooks report.

Reason: Because they are discriminatory and will not work in a modern society.

We do agree with efforts to bring together, the communities of Wales (which include second home owners), and to tackle the shortage of certain types of housing, in certain parts of Wales, without over-regulation. We have expressed our opinions which are respectful, decent, good, wholesome, friendly, loving, fair and honest. We have no prejudice and only have love for Wales, the language and the people of Wales.

Let's get together!